



To the Honorable Council  
City of Norfolk, Virginia

September 11, 2018

From: Leonard M. Newcomb III, CFM, Acting Planning Director *L.M.N.*

Subject: **Discount Tire**, for a Conditional Use Permit to operate Tire Sales and Repair at 5764 E. Virginia Beach Boulevard.

Reviewed: *W.C. Benda*  
Wynter C. Benda, Chief Deputy City Manager

Ward/Superward: 4/7

Approved: *Douglas L. Smith*  
Douglas L. Smith, City Manager

Item Number: C-12

- I. **Staff Recommendation:** Approval.
- II. **Planning Commission Recommendation:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Conditional Use Permit to operate Tire Sales and Repair.
- IV. **Applicant:** Discount Tire
- V. **Description:**
  - The site is zoned C-R which permits Tire Sales and Repair, with Conditional Use Permit.
  - The Performance Standards define this use as follows:
    - An establishment that sells, installs, and repairs tires and rims but that does not perform any other repair services.
  - The proposed hours of operation are from 8:00 a.m. to 6:00 p.m. Monday through Friday and from 8:00 a.m. to 5:00 p.m. on Saturday.
- VI. **Environmental Impacts:**
  - The site was previously used for restaurant and retail businesses.
  - One of the two existing driveways accessing E. Virginia Beach Boulevard will be removed and replaced with landscaping.
  - A 6-foot wide minimum landscape buffer will be installed around the perimeter of the site with a wider planting area along the eastern property line for stormwater management.

Staff contact: Jeremy Sharp at (757) 823-1087, [jeremy.sharp@norfolk.gov](mailto:jeremy.sharp@norfolk.gov)



Attachments:

- Proponents and Opponents
- Staff Report to CPC dated August 23, 2018 with attachments
- Ordinance



**City Planning Commission Public Hearing: August 23, 2018**

Executive Secretary: Leonard M. Newcomb, III, CFM *L M N III*

Staff Planner: Jeremy E. Sharp, AICP *JS*

Staff Report	Item No. 7	
Address	5764 E. Virginia Beach Boulevard	
Applicant	Discount Tire	
Request	Conditional Use Permit	Tire Sales and Repair
Property Owner	WHLR-JANAF, LLC	
Site Characteristics	Site/Building Area	41,271 sq. ft./7,680 sq. ft.
	Future Land Use Map	Commercial
	Current Zoning	C-R (Regional Commercial), JANAF-LASO (JANAF Shopping Center Localized Alternative Sign Overlay)
	Neighborhood	JANAF
	Character District	Suburban
Surrounding Area	North	C-R: JANAF Shopping Center
	East	C-R: SunTrust Bank
	South	C-R: Waffle House, Military Circle Shopping Center
	West	C-R: Applebee's





#### **A. Summary of Request**

- The property is located on the north side of E. Virginia Beach Boulevard just west of the entrance to the JANAF Shopping Center.
- This request would allow a Tire Sales and Repair business, Discount Tire, to operate from the site.

#### **B. Plan Consistency**

The proposed Conditional Use Permit is consistent with *plaNorfolk2030*, which designates this site as Commercial.

#### **C. Zoning Analysis**

##### **i. General**

- The site is zoned C-R which permits Tire Sales and Repair, with a Conditional Use Permit.
- The Performance Standards define this use as follows:
  - An establishment that sells, installs, and repairs tires and rims but that does not perform any other repair services.
- The proposed hours of operation are from 8:00 a.m. to 6:00 p.m. Monday through Friday and from 8:00 a.m. to 5:00 p.m. on Saturday.

##### **ii. Parking**

- The required parking for a Tire Sales and Repair business in the Suburban Character District is based upon the number of service bays (three parking spaces per bay).
  - The proposed building will have three bays and is required to have nine parking spaces.
  - 32 spaces will be provided.

##### **iii. Flood Zone**

The property is located in the X (Low to Moderate) Flood Zone, which is a low-risk flood zone.

#### **D. Transportation Impacts**

- Institute of Transportation Engineers (ITE) figures estimate that that this proposed new automobile use will generate 696 fewer vehicle trips per day.
- Based upon ITE data, the prior restaurant use on this site would be expected to generate 887 weekday trips while the proposed new tire store use would be expected to generate 191 trips.
- East Virginia Beach Boulevard near to the site is identified as a severely congested corridor in the PM peak hours in the current update to regional Hampton Roads Congestion Management analysis.
- The site is near transit service with Hampton Roads Transit bus routes 15 (Military), 20 (Virginia Beach), and 23 (Princess Anne) operating adjacent to the site.



- East Virginia Beach Boulevard adjacent to the site is not an identified priority corridor in *The City of Norfolk Bicycle and Pedestrian Strategic Plan*.

**E. Historic Resources Impacts**

N/A

**F. Environmental Impacts**

- The site was previously used for restaurant and retail businesses.
- One of the two existing driveways accessing E. Virginia Beach Boulevard will be removed and replaced with landscaping.
- A 6-foot wide minimum landscape buffer will be installed around the perimeter of the site, with a wider planting area along the eastern property line to accommodate stormwater management.

**G. AICUZ Impacts**

N/A

**H. Impact on Surrounding Area/Site**

- The site is surrounded by commercial uses.
- The conceptual site plan submitted by the applicant and the attached conditions ensure compliance with the adopted general plan, as well as all *Zoning Ordinance* requirements for an automobile related site.

**I. Payment of Taxes**

The owner of the property is current on all taxes.

**J. Civic League**

Notice was sent to the Lake Taylor Civic League on July 11.

**K. Communication Outreach/Notification**

- Legal notice was posted on the property on July 10.
- Letters were mailed to all property owners within 300 feet of the property on July 11.
- Legal notification was placed in *The Virginian-Pilot* on August 9 and August 16.

**L. Recommendation**

Staff recommends that the Conditional Use Permit request be **approved** subject to the conditions shown below:

- (a) The hours of operation for the facility shall be from 8:00 a.m. to 6:00 p.m. Monday through Friday and from 8:00 a.m. to 5:00 p.m. on Saturday.
- (b) The site shall be improved in accordance with the attached site plan, entitled Concept Site Plan prepared by Kimley-Horn and dated July 18, 2018 and marked Exhibit A.



- (c) All work shall take place inside the building.
- (d) Tires shall be stored inside the building. No tires shall be stored outdoors.
- (e) Transportable portable storage units (shipping containers) shall not be utilized for tire storage.
- (f) All landscaping installed on the site shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (g) Notwithstanding any other regulations pertaining to temporary window signage within the *Zoning Ordinance of the City of Norfolk*, no less than 85% of the glass areas of the ground floor of the building shall be transparent as defined in the Zoning Ordinance.
- (h) The use of temporary signs shall comply with the *Norfolk Zoning Ordinance*. The use of feather flags, pennants, and streamers is prohibited.
- (i) All service areas and areas for storing vehicles awaiting service shall be screened from view from the public right-of-way. Vehicles awaiting service shall be parked in a designated location either on-site or in a designated and approved location off-site. Such vehicles shall not be parked in any public right-of-way.
- (j) All vehicles parked on site, including those parked for display purposes, shall be parked on a hard-paved surface, and shall not encroach into required buffer yards. The establishment shall provide standard commercial entrances, approved by the Department of Public Works, for all vehicular access points accessing a public road. A safety curb shall be installed around the perimeter of all paved areas.
- (k) Vehicle queuing shall not block the sidewalk, street, or portion of the public right-of-way, or impede pedestrian or bicycle approaches to the site.
- (l) An oil/water separator or other device approved by the city's Department of Public Works sufficient to capture leaks or spills related to the operation of the facility shall be installed and a hazardous materials management plan shall be prepared and submitted to the Department of City Planning detailing the methods to be employed on the property in order to minimize the infiltration into groundwater or surface waters of petroleum-based materials or other waste associated with the dispensing and handling of fuel or other potentially hazardous liquids.
- (m) All ground level and rooftop mechanical equipment shall be fully screened from view from public streets.



**Attachments:**

Conditional Use Permit Review Standards  
Overview map  
Location map  
Zoning map  
Application  
Conceptual Site Plan  
Conceptual Landscape Plan  
Conceptual Elevations  
Notification list of all property owners within 300 feet of the site  
Letter of support from Lake Taylor Civic League



## **Proponents and Opponents**

### **Proponents**

Jeremy Yee  
4525 Main Street, Suite 1000  
Virginia Beach, VA 23462

### **Opponents**

None



Form and Correctness Approved: *RAP*

By *[Signature]*

Office of the City Attorney

Contents Approved:

By *[Signature]*

DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No. 47,358

*C-12*  
AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE THE OPERATION OF A TIRE SALES AND REPAIR ESTABLISHMENT NAMED "DISCOUNT TIRE" ON PROPERTY LOCATED AT 5764 EAST VIRGINIA BEACH BOULEVARD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a conditional use permit is hereby granted authorizing the operation of a Tire Sales and Repair establishment.

Section 2:- That the full extent of the property or properties where the permit or permits described above are hereby made effective, upon the date set forth below, is described as follows:

Property fronts 200 feet, more or less, along the northern line of East Virginia Beach Boulevard beginning 248 feet, more or less, from the eastern line of the North Military Highway right-of-way and extending eastwardly; premises numbered 5764 East Virginia Beach Boulevard.

Section 3:- That the conditional use permit or permits granted herein shall be subject to all of the general conditions set forth in section 2.4.8.D of the Norfolk Zoning Ordinance and all of the following additional conditions, requirements, and limitations:

- (a) The operation of the use must be conducted in accordance with the performance standards that are set forth in sections 4.2.3.F(7) and 4.2.3(F)(8)(s) of the Norfolk Zoning Ordinance adoption of this ordinance.
- (b) The hours of operation for the facility shall be limited to 8:00 a.m. until 6:00 p.m. Monday through Friday, 8:00 a.m. until 5:00 p.m. on Saturday, and closed on Sunday.
- (c) The site shall be improved in accordance with the



plan entitled "Concept Site Plan," prepared by Kimley-Horn, dated July 30, 2018, attached hereto and marked "Exhibit A."

- (d) All work shall take place inside the principal building.
- (e) All landscaping installed on the site shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (f) Notwithstanding any other regulations pertaining to temporary window signage within the Norfolk Zoning Ordinance, no less than 85% of the glass areas of the ground floor of the building shall be transparent as defined in the Zoning Ordinance.
- (g) The use of temporary signs shall comply with the Norfolk Zoning Ordinance. The use of feather flags, pennants, and streamers is prohibited.

Section 4:- That the City Council hereby determines that the conditional use permit or permits granted herein comply with each of the standards set forth in section 2.4.8.C of the Norfolk Zoning Ordinance.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:  
Exhibit A (1 page)



Adopted by Council September 11, 2018  
Effective September 11, 2018

TRUE COPY  
TESTE:

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RICHARD ALLAN BULL, CITY CLERK

BY:









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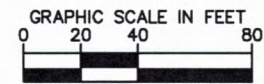
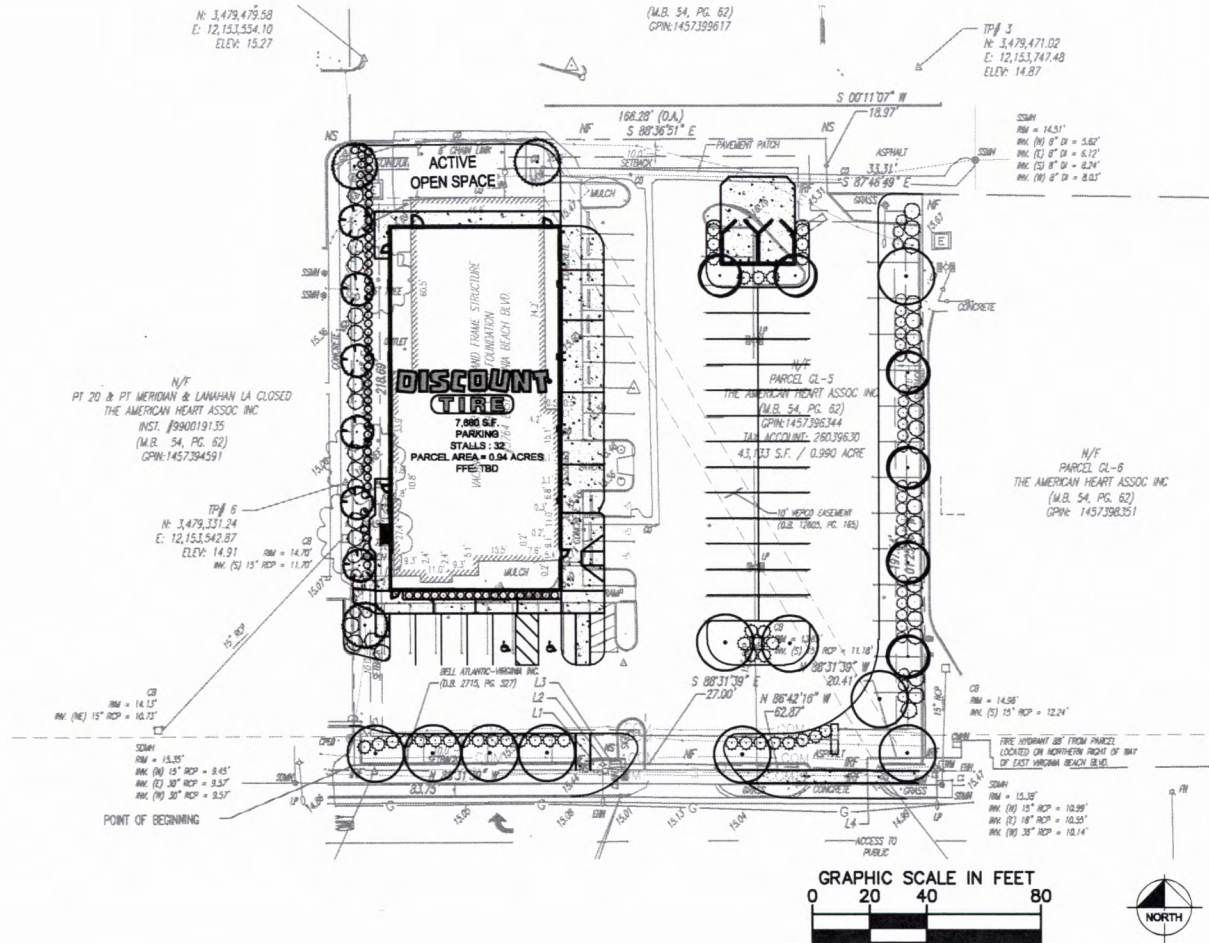
CHIEF DEPUTY CITY CLERK



# EXHIBIT A

## CONCEPT PLANT SCHEDULE

	LARGE DECIDUOUS TREE	10
	LARGE EVERGREEN TREE	3
	MEDIUM DECIDUOUS TREE	6
	SMALL DECIDUOUS TREE	6
	LARGE DECIDUOUS SHRUB	41
	LARGE EVERGREEN SHRUB	35
	MEDIUM EVERGREEN SHRUB	36
	SMALL EVERGREEN SHRUB	73



**DISCLAIMER**  
THIS DRAWING IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF DISCOUNT TIRE COMPANY AND SHALL REMAIN THEIR PROPERTY. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT WAS PREPARED. PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH.

REVISION	DATE

**Kimley»Horn**  
4025 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462  
PHONE: 757-213-8000 FAX: 757-213-0801  
WWW.KIMLEY-HORN.COM

**DISCOUNT  
TIRE**

DT STORE VAB 11573  
5764 E. VIRGINIA BEACH  
BOULEVARD  
NORFOLK, VA 23502

**JOB NUMBER:**  
**DRAWN BY:** PJP  
**CHECKED BY:** NW  
**DATE:** JULY 30, 2018

**SHEET TITLE:**  
CONCEPT LANDSCAPE PLAN  
**SHEET NUMBER:**  
3 of 3



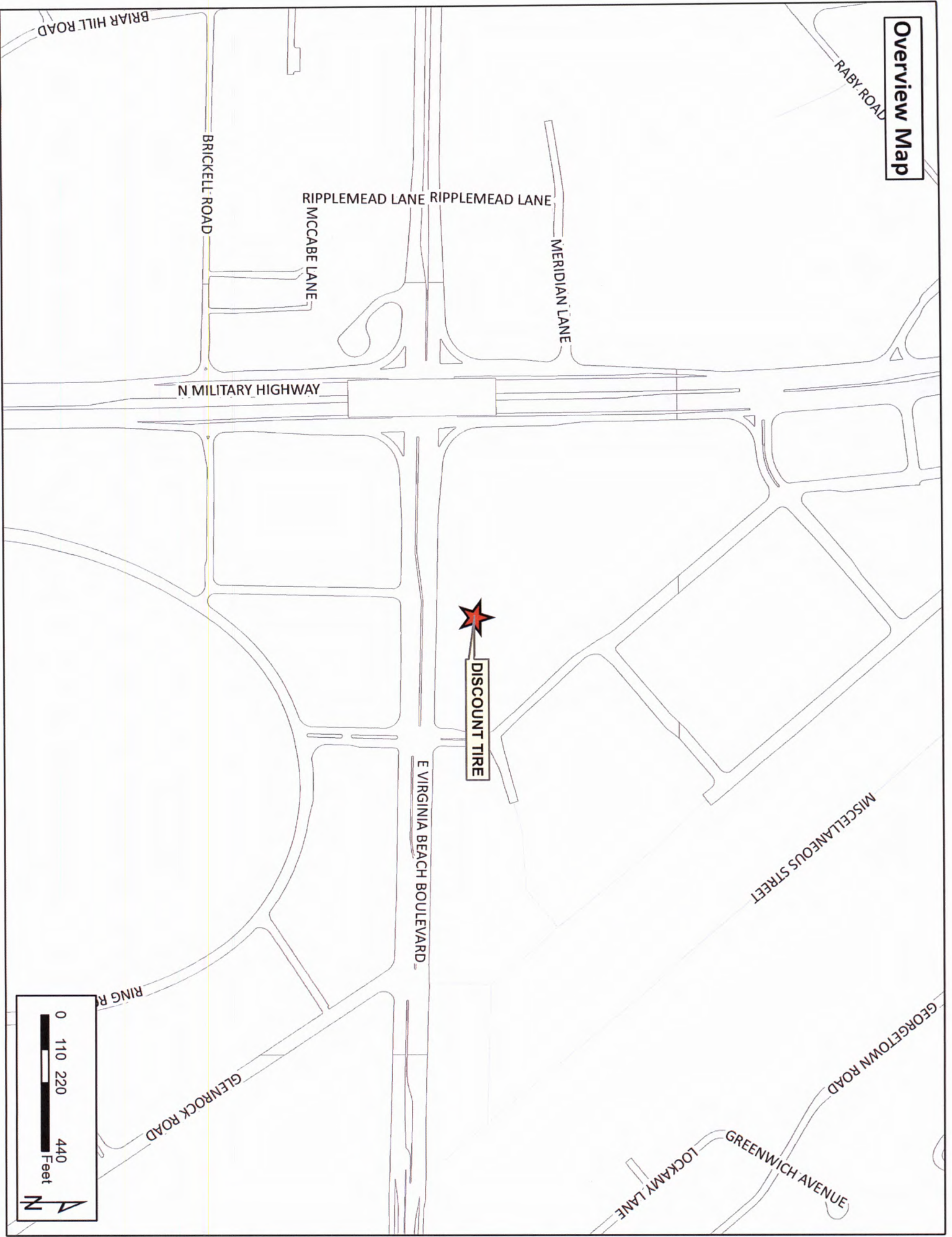
#### 2.4.8.C. CONDITIONAL USE PERMIT REVIEW STANDARDS

A Conditional Use Permit may be approved if the applicant demonstrates that the proposed conditional use:

- 1) Is consistent with the purposes, goals and policies of the comprehensive plan and other applicable city-adopted plans;
- 2) Complies with all applicable zoning district-specific standards in Article 3. Zoning Districts;
- 3) Complies with all applicable use-specific standards in Article 4. Performance Standards;
- 4) Complies with all applicable development and design standards in Article 5. Development Standards;
- 5) Complies with all relevant subdivision and infrastructure standards in Chapter 42.5 of City Code;
- 6) Is appropriate for its location and is compatible with the general character of surrounding lands and the types, scale, and intensity of uses allowed in the zoning district where proposed;
- 7) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;
- 8) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, night-time activity, and other site elements;
- 9) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
- 10) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- 11) Is served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- 12) Maintains adequate parking, loading and other necessary facilities to serve the proposed use;
- 13) Will not substantially diminish or impair the value of the land within the neighborhood in which it is located.
- 14) Will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various Conditional Use Permits of all types on the immediate neighborhood and the effect of the proposed type of Conditional Use Permit on the city as a whole;
- 15) Complies with all other relevant city, state and federal laws and standards; and
- 16) Is required by the public necessity, convenience, general welfare, or good zoning practice.



Overview Map





Location Map

DISCOUNT TIRE



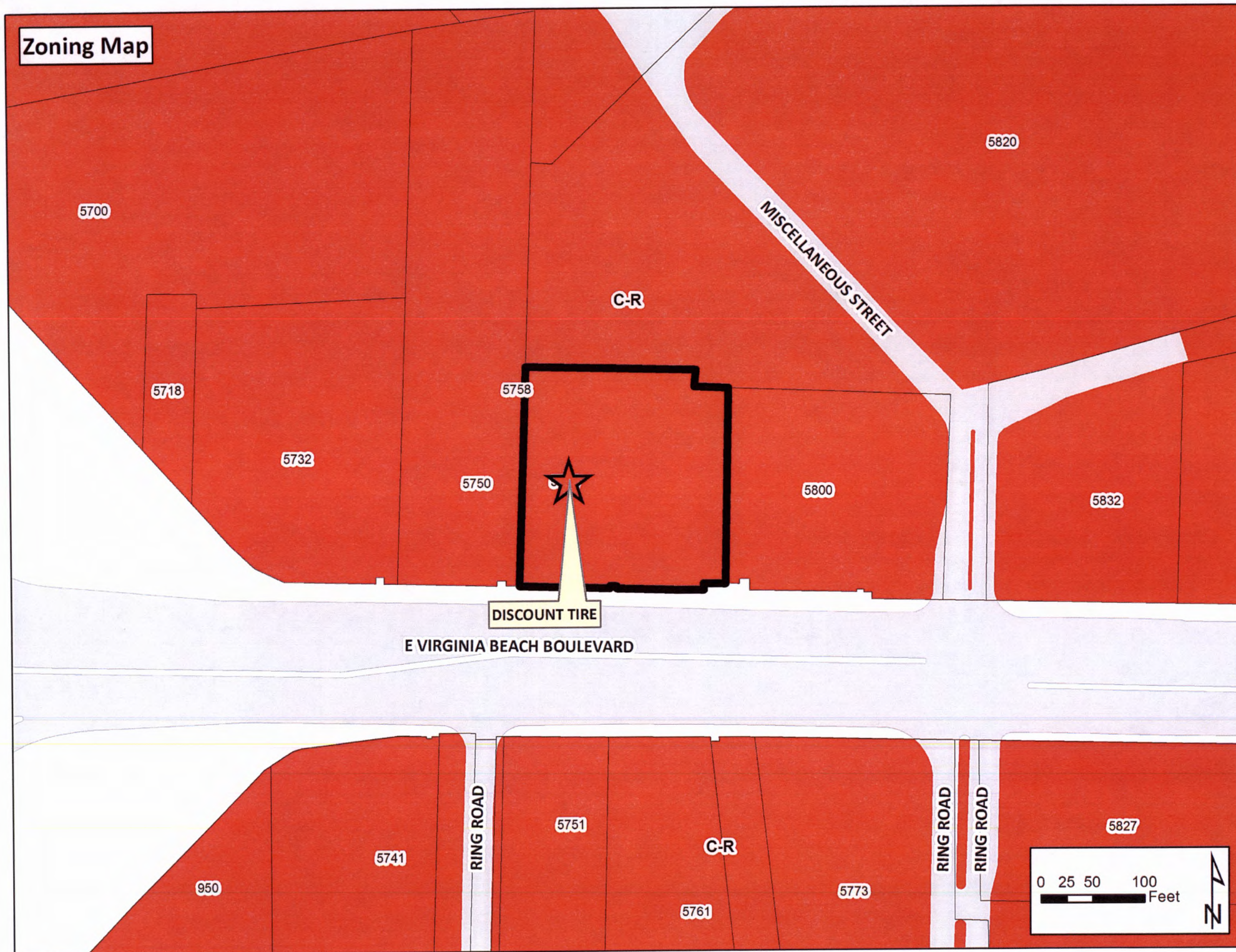
E VIRGINIA BEACH BOULEVARD

0 10 20 40 Feet





# Zoning Map







**Application  
Conditional Use Permit  
Auto Related Uses  
(Please print)**

Date July 2, 2018

Type of Auto Related Use: Retail sale of passenger car and light truck tires and wheels

**DESCRIPTION OF PROPERTY**

Address: 5764 E Virginia Beach Blvd. (also shows up as 5784 in Norfolk Air)

Existing Use of Property: Closed retail business

Proposed Use: Retail sale of passenger car and light truck tires and wheels

Current Building Square Footage: 6,878 Proposed Building Square Footage: 7,680

Trade Name of Business (if applicable): Discount Tire

**APPLICANT\***

1. Name of applicant: (Last) Thrailkill (First) Don (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): 20225 N. Scottsdale Rd.

(City): Scottsdale (State): AZ (Zip Code): 85255

Daytime telephone number of applicant: ( ) 480-606-5781

E-mail address: don.thrailkill@discounttire.com

**AUTHORIZED AGENT\* (if applicable)**

2. Name of applicant: (Last) Yee (First) Jeremy (MI) \_\_\_\_\_

Mailing address of applicant (Street/P.O. Box): 4525 Main St., Suite 1000

(City): Virginia Beach (State): VA (Zip Code): 23462

Daytime telephone number of applicant: ( ) 757-213-8600 Fax ( ) \_\_\_\_\_

E-mail address: Jeremy.Yee@kimley-horn.com



Application  
Conditional Use Permit - Auto Related Uses  
Page 2

PROPERTY OWNER\*

3. Name of property owner: (Last) WHLR - JANAR, LLC (MI) \_\_\_\_\_  
Mailing address of property owner (Street/P.O. box): 2529 Virginia Beach Blvd  
(City): Virginia Beach (State): VA (Zip Code): 23452  
Daytime telephone number of owner: (757) 627-9088  
E-mail address: DKELLY@WHLR.US

\*(If applicant/agent/property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

CIVIC LEAGUE INFORMATION

Civic League contact: Steve Mirman - Lake Taylor Civic League  
Date meeting attended/held: TBD - Request for information to Civic League made on 6/29/18  
Ward/Super Ward information: 4 / Paul R. Riddick

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: DAVID KELLY Sign: [Signature] July 9, 2018  
(Property Owner) (Date)  
Print name: [Signature] Sign: Don Thrauhill 7-2-18  
(Applicant) (Date)  
(If Applicable)  
Print name: Jeremy Yee Sign: [Signature] July 9, 2018  
(Authorized Agent Signature) (Date)





Description of Operations  
Auto Related Uses

Date: July 2, 2018

Trade name of business: Discount Tire

Address of business: 5764 E Virginia Beach Blvd.

Name of property owner(s)\*: WHLR-JANNE, LLC

Daytime telephone number (757) 627-9088

\*If business or property owner is partnership, all partners must be listed.

\*If business or property owner is an LLC or Corporation, all principals must be listed.

Proposed Hours of Operation:

Weekday From: 8:00 AM To: 6:00 PM

Friday From: 8:00 AM To: 6:00 PM

Saturday From: 8:00 AM To: 5:00 PM

Sunday From: \_\_\_\_\_ To: \_\_\_\_\_

Signature of Applicant



NOTES:

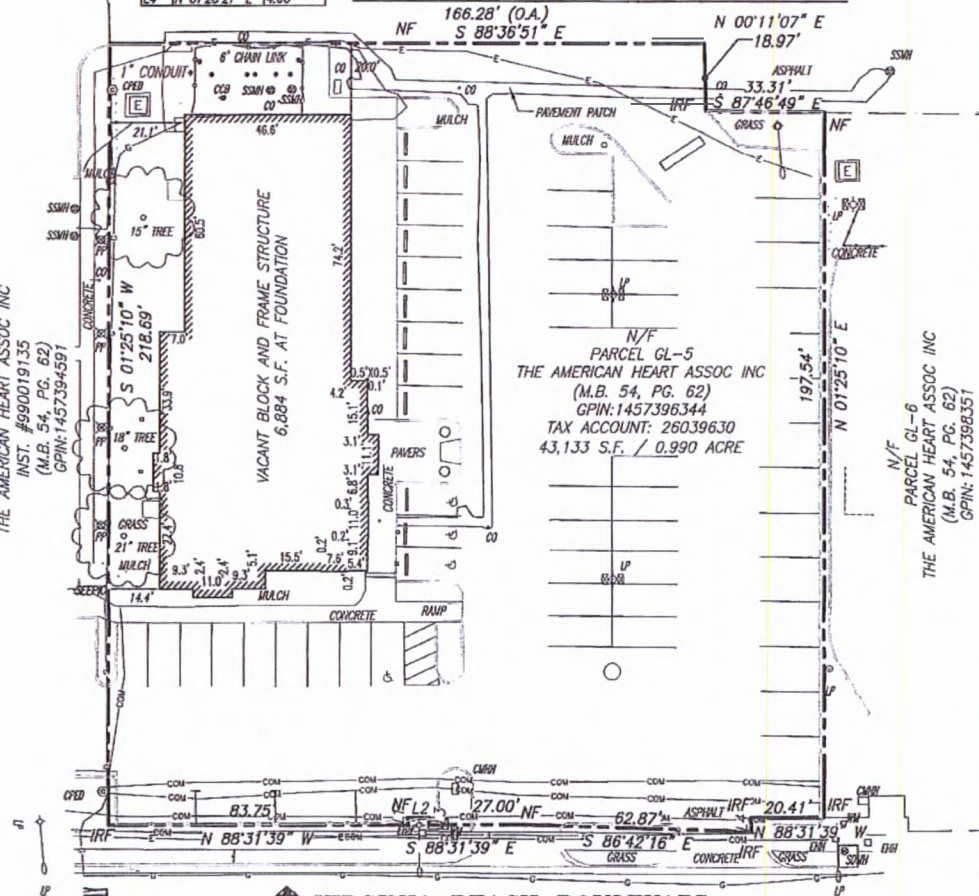
1. THIS SURVEY WAS PRODUCED WITHOUT BENEFIT OF A TITLE REPORT. ALL EASEMENTS, RESTRICTIONS AND SERVITUDES MAY NOT BE SHOWN.
2. THIS SITE APPEARS TO LIE IN FLOOD ZONE X PER FEMA FLOOD MAP 5105040077H, DATED 2/17/17



LINE	BEARING	DISTANCE
L1	N 01°28'21" E	2.00'
L2	S 88°31'39" E	16.00'
L3	N 01°28'21" E	2.00'
L4	N 01°28'21" E	14.00'

N/F  
PARCEL GL-2  
THE AMERICAN HEART ASSOC INC  
(M.B. 54, PG. 62)  
GPIN:1457399617

N/F  
Closed  
Pl 20 & Pt Meridian & Lanahan La  
THE AMERICAN HEART ASSOC INC  
INST. #990019135  
(M.B. 54, PG. 62)  
GPIN:1457394591



N/F  
PARCEL GL-5  
THE AMERICAN HEART ASSOC INC  
(M.B. 54, PG. 62)  
GPIN:1457396344  
TAX ACCOUNT: 26039630  
43,133 S.F. / 0.990 ACRE

N/F  
PARCEL GL-6  
THE AMERICAN HEART ASSOC INC  
(M.B. 54, PG. 62)  
GPIN:1457398351

VIRGINIA BEACH BOULEVARD  
ROUTE 58  
(VARIABLE WIDTH PUBLIC R.O.W.)  
(M.B. 54, PG. 62)

LEGEND

BOUNDARY: ADJACENT PROPERTY LINE	CHRY CYS2	BOLLARD
BOUNDARY: PROPERTY LINE	PP	COMMUNICATIONS PEDESTAL/HANDHOLE
BUILDING: OVERHANG	E	POWER: POLE
COMMUNICATIONS: UNDERGROUND	ENH	POWER: TRANSFORMER
FENCE: METAL	CO	POWER: HANDHOLE
EASEMENT	SSM	SANITARY CLEANOUT
FENCE: WOODEN	SSM	SANITARY SEWER MANHOLE
LANDSCAPING: EDGE	SSM	SIGN
NATURAL GAS: UNDERGROUND	SSM	STORM DRAIN MANHOLE
PAVEMENT: ASPHALT EDGE	SSM	STORM: ROOF DRAIN
POWER: UNDERGROUND	SSM	WATER: METER

PHYSICAL SURVEY  
OF  
PARCEL G-5  
M.B. 54, PG. 62  
FOR  
DISCOUNT TIRE  
SCALE: 1" = 40'  
NORFOLK, VA

PROJECT # 18061  
FIELD BY:  
TSC-MP-SS  
FIELD DATES:  
07-05-18  
DRAWN BY: OSL/BWS  
SHEET  
1 OF 1

**MAS-LD**  
MidAtlantic Surveying and Land Design  
5305 Cleveland Street, Suite 102  
Virginia Beach, VA 23462  
757-557-0888  
WWW.MAS-LD.COM  
ADMIN@MAS-LD.COM





20225 NORTH SCOTTSDALE ROAD • SCOTTSDALE, ARIZONA 85255 • (480) 606-6000

Discount Tire Co. believes that our business is a valuable asset to communities throughout the United States.

Retail sale of passenger car and light truck tires and wheels is our only business. We are the most successful, largest and fastest growing independent retail tire dealer in the United States. We currently have over 900 locations throughout the country and are adding about forty locations each year. We have been in business for over fifty years, and our annual sales exceed \$5-Billion.

Our unique success is based on some very simple but solid principals. Each day we strive to be the best by caring for and cultivating people, delighting our customers and growing responsibly. We have an unequalled passion to serve our customers, provide valuable services to the community and create opportunity. This commitment to our customers, to our employees and to the community is the essence of our success.

Discount Tire Co. provides this customer experience in facilities that are clean, modern and efficient. Our showrooms are similar to upscale retail establishments, like an electronics specialty store. Our floors are polished, our lighting is bright and cheerful and our restrooms are spotless. We take superb care of our stores because our customers deserve the best.

We bring a unique approach to our business. For example, we only sell and service tires and wheels. We do not perform any mechanical work such as brakes, shocks or batteries. We do not handle any hazardous wastes such as oil or antifreeze. All of our work is performed within the building in a safe, clean environment. We are not in the automobile repair business.

Our passion for customer service, the limited products we sell and our immaculate facilities differentiate us from the industry. Perhaps we are a bit misunderstood when we talk about a clean tire store, but our customers and the communities in which we do business love us. We also create great opportunity for employment and sales tax revenue.

Enthusiasm and positive attitudes are the hallmark of our employee's interaction with our customers. You may wonder how we attract and keep the best and brightest people to our organization and keep such a positive, professional outlook. The answer is simple. Our employees and their interaction with our customers is the reason for our success and success creates opportunity for our employees. Everyone that joins the organization starts with an entry-level position. They work hard and learn the business from the inside and as their skills grow, so do their careers. All our promotions are from within the organization.

Our employees typically live in the community and contribute a positive and professional vision of success to society. We are a very family oriented company, providing medical, dental and retirement benefits, paid vacations and a network of support. One small example of our commitment to each other is our hours of operation. We are open Monday through Friday, 8:00 AM to 6:00 PM, Saturday 8:00 AM to 5:00 PM and we are closed on Sundays. We are not open at night or on Sunday because we want our employees to have time with their families.

There is a certain passion when our employees describe Discount Tire Co. We are a wonderful company and would be a great asset to business communities throughout the United States.



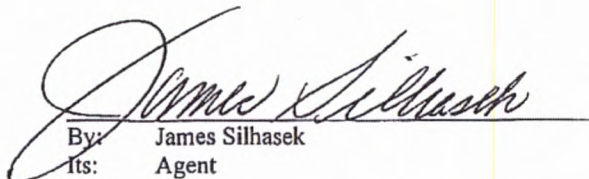
**CERTIFIED COPY OF RESOLUTIONS  
OF  
HALLE PROPERTIES, L.L.C.  
An Arizona Limited Liability Company**

The undersigned hereby certifies that he is agent for the managing member of Halle Properties, L.L.C., an Arizona Limited Liability Company, hereafter referred to as the "Company", and that the following is a full, true and correct copy of resolutions duly adopted by the Members of said Company and that this resolution is in full force and effect and has not been amended, suspended or repealed.

**RESOLVED**, that Scott Fournier, Richard Sommer and Don Thrailkill are agents of Halle Properties, L.L.C., and in such capacity are authorized to sign any and all documentation necessary for obtaining utilities and other transactions relating to the construction of the building to be used as a Discount Tire /America's Tire store in the State of Virginia.

**IN WITNESS WHEREOF**, I have hereunto set my hand of the day and years stated herein.

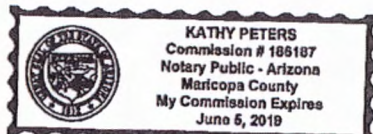
HALLE PROPERTIES, L.L.C.  
An Arizona Limited Liability Company  
By: Wilanna, Inc., an Arizona corporation  
Managing Member

  
By: James Silhasek  
Its: Agent

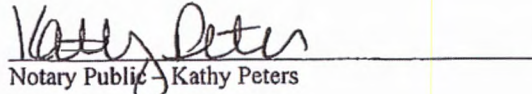
STATE OF ARIZONA     )  
                                  )ss.  
COUNTY OF MARICOPA)

Before me the undersigned Notary Public, on this 11<sup>th</sup> day of March 2016, personally appeared James Silhasek, who acknowledged to be agent of Wilanna, Inc., an Arizona corporation, the managing member of Halle Properties, L.L.C., and that he, being authorized to do, executed the foregoing instrument for the purposes stated therein.

**IN WITNESS WHEREOF**, I have hereunto set my hand and official seal.



My Commission Expires: June 5, 2019

  
Notary Public - Kathy Peters





June 29, 2018

Mr. Steven A. Mirman  
President  
Lake Taylor Civic League  
Norfolk, VA

**RE:   *Meeting Request with Lake Taylor Civic League for  
Discount Tire Conditional Use Permit  
5764 E Virginia Beach Boulevard, Norfolk, VA  
Kimley-Horn #113215018***

Dear Mr. Mirman:

Kimley-Horn is assisting Discount Tire in applying for a Conditional Use Permit for automotive uses with the Norfolk Department of Planning for the above-referenced proposed location. Discount Tire currently has nine stores (and counting) open in Virginia. We will be representing this project at Norfolk's upcoming Planning Commission hearing on August 23<sup>rd</sup> and are hoping to present at the Lake Taylor Civic League's next meeting. If you are agreeable, please let me know when your next meeting is taking place and if we can be placed on the agenda to present this project and answer members' questions.

For your current reference about this proposed Discount Tire, enclosed are the following:

- Letter from Discount Tire summarizing their business
- Concept Plan
- Building Elevation

The following are additional informational items about the proposed Discount Tire store at 5764 E Virginia Beach Boulevard:

- The current use of the property is a closed retail building. Discount Tire is planning to demolish the existing structure and parking lot.
- The store will have 10-12 employees during business hours
- 7,680 square feet
- 32 parking spaces
- Landscaping will be added with site amenities per Norfolk requirements
- One existing driveway entrance will be eliminated





Page 2

Please contact me at (757) 213-8600 or [Jeremy.Yee@kimley-horn.com](mailto:Jeremy.Yee@kimley-horn.com) should you have any questions or concerns.

Sincerely,

**KIMLEY-HORN**

A handwritten signature in black ink, appearing to read "Jeremy Yee", with a stylized, looping flourish at the end.

Jeremy Yee, P.E.  
*Project Engineer*

cc: Susan Pollock / Norfolk Department of Planning



# CITY OF NORFOLK

## Payment Distribution



**Print Date:** 7/2/2018

**Account:** 628984

**Payment Date:** 6/4/2018

**Payment Amount:** \$3,551.78

**Invoice #:** 660414

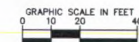
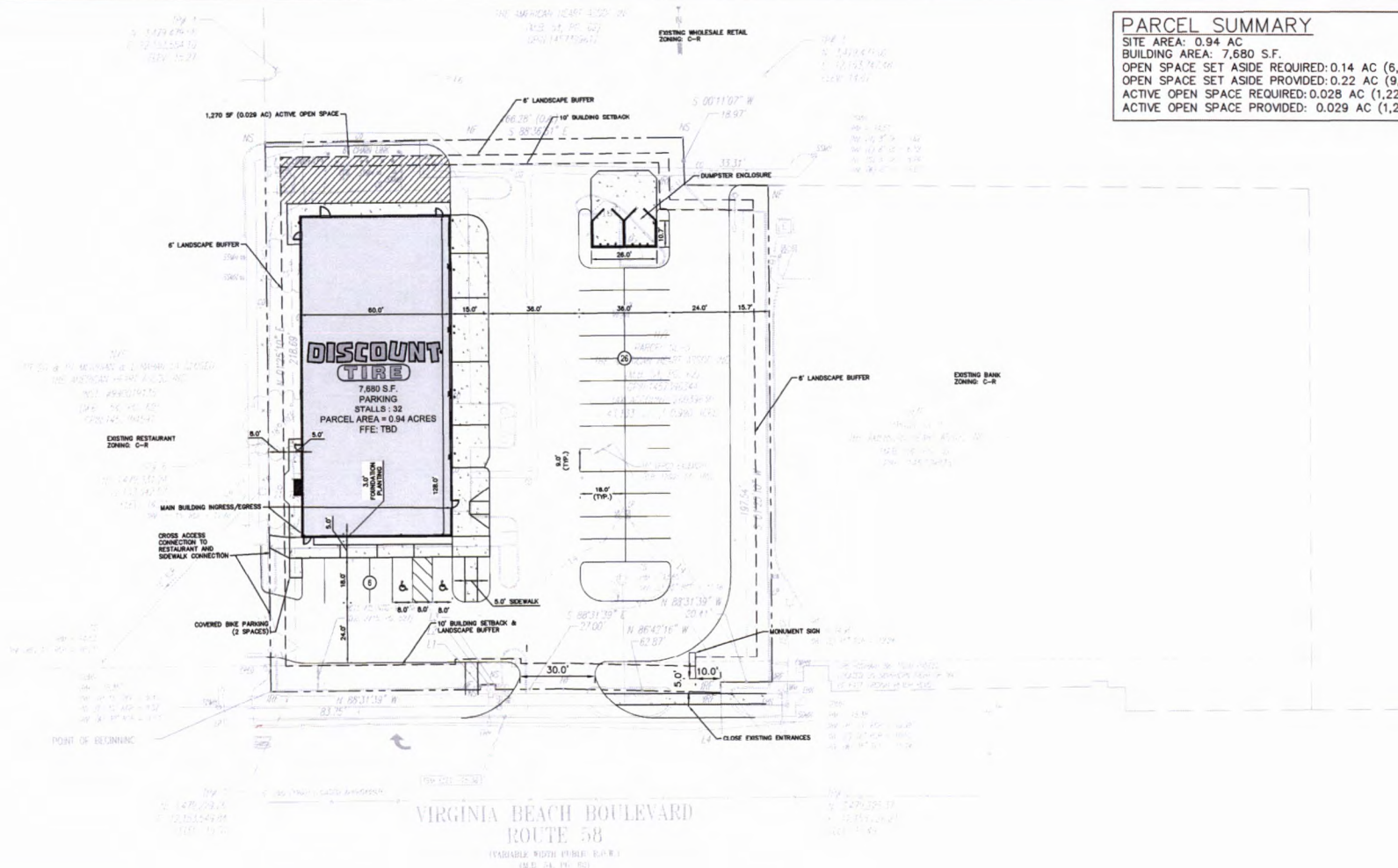
**Due Date:** 6/5/2018

<b>Tax Year</b>	<b>Item Identifier</b>	<b>Description</b>	<b>Paid</b>
2017	26039628	5784 VIRGINIA BEACH BLVD E	\$3,551.78



# PARCEL SUMMARY

SITE AREA: 0.94 AC  
 BUILDING AREA: 7,680 S.F.  
 OPEN SPACE SET ASIDE REQUIRED: 0.14 AC (6,098 S.F.)  
 OPEN SPACE SET ASIDE PROVIDED: 0.22 AC (9,630 S.F.)  
 ACTIVE OPEN SPACE REQUIRED: 0.028 AC (1,220 S.F.)  
 ACTIVE OPEN SPACE PROVIDED: 0.029 AC (1,270 S.F.)



DISCLAIMER:	REVISION	DATE
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**Kimley»Horn**  
 4525 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462  
 PHONE: 757-213-8600 FAX: 757-213-8601  
 WWW.KIMLEY-HORN.COM

**DISCOUNT  
TIRE**









**DT STORE VAB 11573  
 5764 E. VIRGINIA BEACH  
 BOULEVARD  
 NORFOLK, VA 23502**

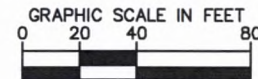
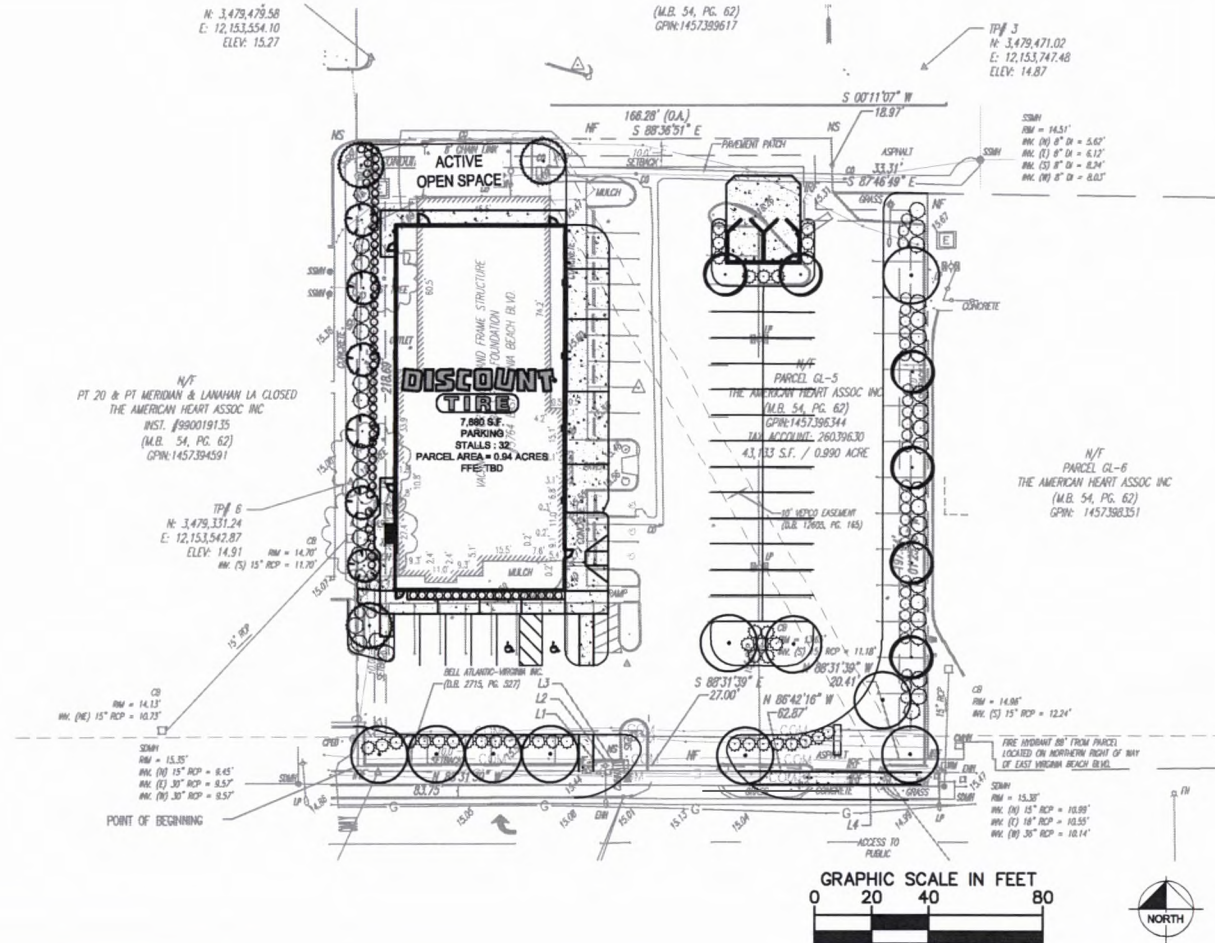
JOB NUMBER:  
 DRAWN BY:  
 CHECKED BY:  
 DATE:  
 JULY 18, 2018

SHEET TITLE:  
 CONCEPT  
 SITE PLAN  
 SHEET NUMBER:  
 1



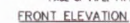
# CONCEPT PLANT SCHEDULE

	LARGE DECIDUOUS TREE	10
	LARGE EVERGREEN TREE	3
	MEDIUM DECIDUOUS TREE	6
	SMALL DECIDUOUS TREE	6
	LARGE DECIDUOUS SHRUB	41
	LARGE EVERGREEN SHRUB	35
	MEDIUM EVERGREEN SHRUB	36
	SMALL EVERGREEN SHRUB	73



DISCLAIMER:	REVISION	DATE	<div>Kimley»Horn</div> <div>4525 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462 PHONE: 757-213-9800 FAX: 757-213-8801 WWW.KIMLEY-HORN.COM</div>	<div>DISCOUNT TIRE</div>	<div>DT STORE VAB 11573 5764 E. VIRGINIA BEACH BOULEVARD NORFOLK, VA 23502</div>	JOB NUMBER:	SHEET TITLE:
THIS DRAWING IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF DISCOUNT TIRE COMPANY AND SHALL REMAIN THEIR PROPERTY. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT WAS PREPARED. PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH.						DRAWN BY: PJF	CONCEPT LANDSCAPE PLAN
						CHECKED BY: NOW	SHEET NUMBER: 3 of 3
						DATE: JULY 30, 2018	





A4



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5764 E. VIRGINIA BEACH BLVD  
NORFOLK, VA 23502



1055 e. indian school rd  
phoenix, az 85014  
602-307-5399 | v  
[www.ortteam.com](http://www.ortteam.com)

Sheet No.



**Discount Tires-Notification sent to all Property Owners within 300ft**

<b><u>Property Owners</u></b>	<b><u>Property Address</u></b>	<b><u>Mailing Address</u></b>		
American Heart Assoc Inc The	5900 E Virginia Beach Blvd	Norfolk	VA	23502
Coan Properties, Inc	5827 E Virginia Beach Blvd	Norfolk	VA	23502-2423
Franchise Realty Interstate Corp	Po Box 66207 Amf Ohare	Chicago	IL	60666-0207
Gmaccms 2004-C2 Military Circle Mall, Llc	475 5th Ave	New York	NY	10017-6220
Izaak, Ltd	1121 S Military Hwy	Chesapeake	VA	23320-2353
Shah, Geeta S Declaration Of Trust	1460 S Ocean Blvd Apt 701	Pompano Beach	FL	33062-2706
Spencer Family Llc	100 Charles Park Rd	West Roxbury	MA	02132-0000
Taa Nflk Car Care Ctr Property, Llc	5366 Virginia Beach Blvd	Virginia Beach	VA	23462-1828
Wh Capital, Llc	3290 Northside Pkwy Nw Ste 385	Atlanta	GA	30327-2273



**Sharp, Jeremy**

---

**From:** Smith-Worley <stsp@cox.net>  
**Sent:** Friday, July 20, 2018 9:06 AM  
**To:** Pollock, Susan  
**Subject:** FW: Meeting Request with Lake Taylor Civic League for Discount Tire Conditional Use Permit Application (5764 E Virginia Beach Blvd.)

\*\*\* This is an EXTERNAL email. Please exercise caution. \*\*\*

---

Steve sent this last night...

---

**From:** steve@mirmanlawfirm.com [mailto:steve@mirmanlawfirm.com]  
**Sent:** Friday, July 20, 2018 7:06 AM  
**To:** 'Holland, Kimberly'  
**Cc:** 'Yee, Jeremy'; 'Smith-Worley'; Brigitte ARLaud-Berg; Anthony Speight  
**Subject:** RE: Meeting Request with Lake Taylor Civic League for Discount Tire Conditional Use Permit Application (5764 E Virginia Beach Blvd.)

**LAKE TAYLOR CIVIC LEAGUE**  
**P.O. BOX 12753**  
**NORFOLK, VIRGINIA 23541**

July 20, 2018

Dear Ms. Holland:

The conditional use permit application for the proposed Discount Tire, 5764 E Virginia Beach Blvd, Norfolk, Va., was discussed at our monthly meeting on July 19, 2018. The information was presented to our members, approximately 30 people were in attendance. The members unanimously supported your project and look forward to having Discount Tire as a neighbor. We appreciate the information that you forwarded to us and wish Discount Tire success in its operations.

Thank you for contacting our Civic League and please feel free to contact me if further information is needed.

Sincerely,

/s

Steven A. Mirman  
President, Lake Taylor Civic League